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AMIN & TUROCY, LLP  
24TH FLOOR, NATIONAL CITY CENTER  
1900 EAST NINTH STREET  
CLEVELAND, OH 44114

EXAMINER

SEALEY, LANCE W

ART UNIT	PAPER NUMBER
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2671

DATE MAILED: 09/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/934,717

**Applicant(s)**

WONG ET AL.

**Examiner**

Lance W. Sealey

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 2, 11-16, 21, 31, 33, 34, 36, 37, 42-44, 47 and 48 are rejected under 35 U. S. C. 102(a) as being clearly anticipated by Otten, "Broadcasting Virtual Games in the Internet" (Otten).

a. Referring to claim 1, Otten discloses a spectator engine that aggregates selected game data with other data to provide spectator data, the game data varying as a function of at least one of contributions and interactions of at least one participant of an occurrence of the game or event, the other data including information based on use of the spectator experience (Fig. 2; page 6, paragraph 3); and a distribution system operative to provide a signal based on the spectator data that is transformable into a representation of the spectator experience (Fig. 2; page 7, paragraph 2).

b. Referring to claim 2, Otten discloses the spectator engine further comprising viewing controls programmed to implement cinematographic features relative to spectator data (page 10, paragraph 3).

c. Referring to claim 11, Otten discloses a communications infrastructure that receives the signal from the distribution system, the communications infrastructure being operative to communicate encoded spectator information based on the signal, such that a

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recipient thereof can decode the spectator information and generate the representation of the spectator experience (Fig.2; page 7, paragraphs 2 and 3).

- d. Referring to claim 12, Otten discloses the communications infrastructure employing at least one of a wired and wireless communications protocol (Fig. 2; Abstract).
- e. Referring to claim 13, Otten discloses portions of the instance of the game or event and the spectator engine being implemented at different computers (Fig. 2).
- f. Referring to claim 14, Otten discloses the occurrence of a game or event comprising an occurrence of a computer-mediated game or event (Abstract).
- g. Referring to claim 15, Otten discloses means for receiving game data corresponding to an occurrence of the game or event (Fig. 2; page 6, paragraph 3); means for receiving spectator information indicative of use of the spectator experience (Figs. 2 and 4; page 10; paragraph 1); means, responsive to the game data, for aggregating the game data with the spectator information to provide spectator data, the spectator data transformable into a representation of the spectator experience for the occurrence of the game or event (Figs. 2 and 4; page 10, paragraphs 1-3).
- h. Referring to claim 16, Otten discloses means for dynamically selecting which of the game data and the spectator information is to be combined into the spectator data (page 6, paragraph 3).
- i. Referring to claim 21, Otten discloses the game data corresponds to the occurrence of a computer-mediated game or event (Abstract).

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- j. Referring to claim 31, Otten discloses a game server operative to communicate game data with at least one game client and provide a multiplayer experience for participants of an associated game (Fig. 2); a spectator server operative to receive the game data and provide spectator data for receipt by at least one spectator, the spectator data being derived from the game data and other data associated with at least one of the participants and the at least one user, the spectator data being transformable into a representation of the spectator experience by the at least one user (Figs. 1 and 2; page 6, paragraph 3).
- k. Referring to claim 33, Otten discloses the spectator server receiving feedback data based on the at least one spectator that receives the spectator data, the spectator data being updated according to the feedback (Fig. 4; page 10, paragraph 3).
- l. Referring to claim 34, Otten discloses the spectator server implementing viewing controls to enhance a graphical and functional features of the occurrence of the game being described by the spectator data (Fig. 4; page 10, paragraph 1).
- m. Claim 35 is rejected with the rationale of the rejection of claim 21.
- n. Referring to claim 36, Otten discloses receiving game information corresponding to an occurrence of the game or event having at least one participant thereof and aggregating the game information and other spectator-related information to provide aggregated spectator data that is transformable into a representation of the spectator experience associated with the occurrence of the game or event (Fig. 2; Figs. 2 and 4; page 10, paragraphs 1-3). Otten also discloses selecting portions of the game information for incorporation into the spectator experience associated with the occurrence of the game

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or event (page 6, paragraph 3).

- o. Referring to claim 37, Otten discloses receiving at least part of the other spectator-related information based on spectators of the spectator experience that are associated with the occurrence of the game or event (page 11, paragraph 3).
- p. Referring to claim 42, Otten discloses implementing a virtual camera system associated with a plurality of different viewpoints and choosing a viewpoint for the spectator experience associated with the occurrence of the game or event based on the game information (page 10, paragraph 1).
- q. Referring to claim 43, Otten discloses the viewpoint further being chosen based on at least one of a preprogrammed camera control algorithm and a manual selection (page 10, paragraph 1).
- r. Referring to claim 44, Otten discloses the occurrence of a game or event corresponding to an occurrence of a computer-mediated game or event (Abstract).
- s. Referring to claim 47, Otten discloses receiving occurrence data indicative of an occurrence of a game or event running at a computer, the data varying as a function of time based on interactions of at least one participant of the occurrence of the game or event being implemented at the computer (Fig. 2; Abstract; page 6, paragraph 3); implementing viewing controls relative to the received data to provide enhanced data describing the occurrence of the game or event (page 10, paragraph 1); providing spectator data based on the enhanced data, the spectator data being transformable into a representation of the spectator experience of the occurrence of the game or event (Figs 1 and 2; page 10, paragraph 1).

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t. Referring to claim 48, Otten discloses receiving feedback data based on spectators that generate the representation of the spectator experience, the spectator data being provided based on the enhanced data and the feedback data, such that the representation of the spectator experience includes an indication of a spectator audience according to the feedback data (page 4, paragraph 3; page 6, paragraph 3; page 10, paragraph 3).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 4, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten as applied to claims 2 and 15 above, and further in view of U.S. Patent No. 6,325,717 to Kawagoe et al. (Kawagoe).

a. Referring to claim 3, Otten does not explicitly disclose a plurality of virtual cameras, each of the virtual cameras being operative to selectively animate associated portions of the spectator data, the virtual camera being selected based on the viewing controls. Kawagoe discloses a plurality of virtual cameras, each of the virtual cameras being operative to selectively animate associated portions of the spectator data (column 2, lines 1-3; Fig. 11), the virtual camera being selected based on the viewing controls (column 2, lines 5-7). At the time this invention was made, it would have been obvious to one having ordinary skill in the art to modify the system of Otten by including a plurality of virtual cameras, the virtual camera being selected based on the viewing controls as

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taught by Kawagoe. The suggestion/motivation for doing so would have been to provide a simple program that can process complicated camera movements (Kawagoe, column 3, lines 16-18).

b. Referring to claim 4, Otten does not explicitly disclose the viewing controls being programmed to select virtual cameras according to a camera selection algorithm.

Kawagoe discloses viewing controls being programmed to select virtual cameras according to a camera selection algorithm (column 2, lines 5-7).

c. Referring to claim 17, Otten does not explicitly disclose virtual camera means for dynamically selecting a spectator viewpoint according to a predefined camera selection algorithm, the spectator data being provided based on the selected viewpoint. Kawagoe discloses virtual camera means for dynamically selecting a spectator viewpoint according to a predefined camera selection algorithm, the spectator data being provided based on the selected viewpoint (column 2, lines 5-7).

d. Referring to claim 18, Otten discloses the virtual camera means selecting the operator viewpoint based on the received spectator information (page 4, paragraph 3; page 10; paragraphs 1-3).

5. Claims 5 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten in view of Kawagoe as applied to claims 3 and 17 above further in view of U. S. Patent No. 5,850,352 to Moezzi et al. (Moezzi).

a. Referring to claim 5, Otten does not explicitly disclose the selection of the virtual cameras being user selectable. However, Moezzi does explicitly disclose the selection of the virtual cameras being user selectable (column 4, lines 1-6). At the time this invention



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was made, it would have been obvious to one having ordinary skill in the art to modify the system of Otten by allowing the selection of the virtual cameras to be user selectable as taught by Moezzi. The suggestion/motivation for doing so would have been to allow the user to view the scene from the desired perspective (column 9, lines 54-55).

b. Referring to claim 19, Otten does not explicitly disclose selecting the viewpoint based on manual instructions provided to the virtual camera means. However, Moezzi does explicitly disclose manual instructions provided to the virtual camera means (column 4, lines 1-6).

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Otten as applied to claim 1 and further in view of Ham, "Half-Life: Spectator Tech" (Ham).

a. Referring to claim 6, Otten does not disclose an indication of a number of users associated with the spectator experience for the game or event. However, Ham discloses an indication of a number of users associated with the spectator experience for the game or event (page 2, paragraph 1). At the time this invention was made, it would have been obvious to one of ordinary skill in the art to modify the system of Otten by including an indication of a number of users associated with the spectator experience for the game or event as taught by Ham. The suggestion/motivation for doing so would have been to allow players to see what they are doing wrong and improve (Ham, page 2, paragraph 1).

7. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten in view of Ham as applied to claim 6 above, and further in view of U. S. Patent No. 5,926,179 to Matsuda et al. (Matsuda).

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a. Referring to claim 7, Otten does not disclose providing the spectator experience with at least one of an audio and visual representation indicative of the number of spectator experience for the game or event. However, Matsuda discloses providing at least one of an audio and visual representation indicative of the number of spectators associated with the game or event (Fig. 39, bottom left of figure). At the time this invention was made, it would have been obvious to one of ordinary skill in the art to modify the system of Otten by providing at least one of an audio and visual representation indicative of the number of spectators associated with the game or event as taught by Matsuda. The suggestion/motivation for doing so would have been to indicate to the user the number of individuals involved in the interaction.

b. Referring to claim 8, Otten does not disclose providing the spectator experience with at least one of an audio and visual representation of previously associated users of the spectator experience for the game or event. However, Matsuda discloses providing the spectator experience with at least one of an audio and visual representation of previously associated users for the game or event (Fig.39).

8. Claims 9, 10 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten as applied to claims 1 and 31, and further in view of U.S. Patent No. 6,352,479 to Sparks II et al. (Sparks II).

a. Referring to claim 9, Otten does not disclose communicating at least part of the spectator data to a portal programmed to post information based on the spectator data for substantially global access. However, Sparks II discloses communicating at least part of the spectator data to a portal programmed to post information based on the spectator data

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for substantially global access (column 3, line 39 to column 4, line 3; Figs. 7, 8 and 10).

At the time this invention was made, it would have been obvious to one having ordinary skill in the art to modify the system of Otten by communicating at least part of the spectator data to a portal programmed to post information as taught by Sparks II. the suggestion/motivation for doing so would have been to allow users to view game statistics.

b. Referring to claim 10, Otten does not disclose receiving spectator data from a plurality of spectator engines associates with other games or events and post information for each game or event. However, Sparks II discloses receiving spectator data from a plurality of spectator engines associated with other games or events and post information for each game or event (Fig. 7; column 4, lines 51-59).

c. Referring to claim 32, Otten does not disclose a portal that receives at least one of the game data and the spectator data, the portal being programmed to post information for substantially global access based on the at least one of the game data and the spectator data. However, Sparks II discloses a portal that receives at least one of the game data and the spectator data, the portal being programmed to post information for substantially global access based on the at least one of the game data and the spectator data (column 3, line 39 to column 4, line 3; Figs. 7, 8, and 10). At the time this invention was made, it would have been obvious to one having ordinary skill in the art to modify the system of Otten by including a portal programmed to post information for substantially global access as taught by Sparks II. The suggestion/motivation for doing so would have been to allow users to view game statistics.

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9. Claims 20 and 38-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otten as applied to claims 15, 36, and 37 above, and further in view of Matsuda.

a. Referring to claim 20, Otten does not disclose the spectator data as including an indication of the spectators, such that the representation of the spectator experience for the occurrence of the game or event includes a representation of a spectator audience. However, Matsuda discloses including a representation of the audience (Fig. 39, bottom left of figure). At the time this invention was made, it would have been obvious to one of ordinary skill in the art to modify the system of Otten by including a representation of the audience as taught by Matsuda. The suggestion/motivation for doing so would have been to indicate to the user the number of people involved in the interaction.

b. Referring to claim 38, Otten does not disclose including an indication of a number of spectators using the spectator experience associated with the occurrence of the game or event. However, Matsuda discloses including an indication of a number of spectators using the spectator experience associated with the occurrence of the game or event (Fig. 39, bottom left of figure).

c. Claim 39 is rejected with the rationale of the rejection of claim 38.

d. Referring to claim 40, Otten does not disclose providing an indication of the number of spectators in the aggregated spectator data so that users of spectator experience associated with the occurrence of the game or event can perceive a presence of a spectator audience based on the indication of the number of spectators. However, Matsuda discloses providing an indication of the number of spectators can perceive a presence of a

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spectator audience based on the indication of the number of spectators (Fig. 39, bottom left of figure). At the time this invention was made, it would have been obvious to include the number of spectators in the aggregated spectator data because it would allow the data to be distributed to all the clients.

e. Referring to claim 41, Otten does not disclose identifying identities of spectators to those spectators that have been associated with each other by identifying characteristics. However, Matsuda discloses identifying identities of spectators to those spectators that have been associated with each other by identifying characteristics (Fig. 39).

10. Claims 22-24, 27-30, 45 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II in view of GibStats.

a. Referring to claim 22, Sparks II discloses a collection system operative to aggregate gaming data based on an occurrence of the at least one game or event (column 3, lines 39-66); a graphical user interface which provides information about the occurrence (Fig. 7; column 4, lines 52-59); and a user interface element implemented within the graphical user interface and operatively associated with the at least one occurrence, the user interface element operative to direct a user of the portal to the location in response to activation of the user interface element (column 6, lines 35-48). However, Sparks II does not disclose a user interface element identifying a location of a spectator experience. This element is disclosed by Gibstats (pages 8 and 9). At the time this invention was made, it would have been obvious to a person of ordinary skill in the art to modify the portal of Sparks II by including a user interface element identifying a

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location of a spectator experience as taught by Gibstats. The suggestion/motivation for doing so would be to associate game play statistics with the map or level in which the statistics were generated.

- b. Claim 23 is rejected with the rationale of the rejection of claim 22.
- c. Referring to claim 24, Sparks II discloses the graphical user interface providing information about each of the occurrences based on participation and spectator activity relating to each of the respective occurrences (Figs. 7 and 10; column 3, lines 39-65; column 7, lines 52-59).
- d. Referring to claim 27, Sparks II discloses each of the occurrences comprising an indication of a number of participants of the each of the occurrences (Fig. 7; column 4, lines 52-59).
- e. Referring to claim 28, Sparks II discloses the information about each of the occurrences comprising an indication of an identity for at least some of the participants of each respective occurrence (Fig. 10; column 3, lines 39-65).
- f. Referring to claim 29, Sparks II does not disclose information about each of the occurrences further comprising at least one of graphical and audio data derived based on at least part of the respective occurrences. However, Gibstats discloses information about each of the occurrences further comprising at least one of graphical and audio data derived based on at least part of the respective occurrences (page 3, paragraph 1).
- g. Referring to claim 30, Sparks II does not explicitly disclose wherein the gaming

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data corresponds to the occurrence of a computer-mediated game or event. However, Gibstats discloses wherein the gaming data corresponds to the occurrence of a computer-mediated game or event (page 1, paragraph 1).

h. Referring to claim 45, Sparks II discloses means for aggregating game data associated with an occurrence of the at least one game or event (column 3, lines 39-66); means for displaying information about the occurrence (Fig. 7; column 4, lines 52-59); means for directing a user of the portal to the location of the spectator experience associated with the occurrence in response to the user selecting the means associated with the displayed information (column 6, lines 35-48). Sparks II does not explicitly disclose means associated with the displayed information for identifying a location of the spectator experience associated with the occurrence. However, Gibstats discloses means associated with the displayed information for identifying a location of the spectator experience associated with the occurrence (pages 8 and 9).

i. Claim 46 is rejected with the rationale of the rejection of claim 22.

11. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sparks II in view of Gibstats as applied to claim 24 above in view of Matsuda.

a. Referring to claim 25, Sparks II does not disclose the information about each of the occurrences including an indication of a number of spectators. However, Matsuda discloses the information about each of the occurrences including an indication of a number of spectators (Fig. 39). At the time the invention was made, it would have been obvious to one of ordinary skill in the art to modify the portal of Sparks by including

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an indication of a number of spectators as taught by Matsuda. The suggestion/motivation for doing so would have been to indicate to the user the number of people involved in the interaction.

b. Referring to claim 26, Sparks II does not disclose information about each of the occurrences comprising identifying characteristics operative to identify at least one spectator to other spectators that have been previously associated with each other by the identifying characteristics. However, Matsuda discloses information comprising identifying characteristics operative to identify at least one spectator to other spectators that have been previously associated with each other by the identifying characteristics (Fig. 39).

***Response to Remarks***

12. As per applicants' action and request, the objection of claim 35 as substantially duplicative of claim 21 and the rejection of claim 10 under 35 U.S.C. 112 have been withdrawn.

13. The applicants next assert that Otten does not disclose the claims 1/15/31/36/47 limitations, "a spectator engine that aggregates selected game data with other data to provide spectator data, the game data varying as a function of at least one of contributions and interactions of at least one participant of an occurrence of the game or event; the other data including information based on use of the spectator experience" (the "spectator engine" clause) and "a distribution system operative to provide a signal based on spectator data that is transformable into a representation of the spectator experience" (the "distribution system" clause).



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14. The "spectator engine" is the Game Server in Fig.2. The "selected game data" is the "necessary start-up data" referred to in the second paragraph of the section marked "HLTV Network Design" on p.6. When the necessary start-up data is used to load correct game type, level and player models, the "selected game data" is "aggregated with other data including information based on use of the spectator experience," and "a signal is provided based on spectator data" (game type, level and player models) that is "transformable into a representation of the spectator experience" (the players playing the game). In the player's providing data which triggers the loading of correct game type, level and player models, Otten's game data "var[ies] as a function of at least one of contributions and interactions of at least one participant of an occurrence of the game or event". Finally, Fig.2 describes a "distribution system" because it distributes signals to multiple spectator clients. Therefore, Otten fulfills these elements of claims

1/15/31/36/47.

15. The applicants next give an example from the specification of what the spectator data may include, and emphasize that one advantage of the present invention's novelty is the production of spectator data which provides a spectator with a degree of interactive experience currently unavailable in conventional systems. However, since these elements are not actually in the claims, this discussion is not effective in persuading the examiner to allow any claims.

16. After that, the applicants characterize Otten as disclosing a "Director Module" that analyzes buffered game data and calculates the best camera view for the scene, and the "Director Module" as being silent with respect to offering spectator interactivity by

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aggregating game data with data based on use of the spectator experience to produce spectator data. This may be true, but this does not mean that Otten does not disclose the applicants' "spectator engine" and "distribution system" clauses on p.6 of his article.

Therefore the rejections of claims 1, 15, 31, 36 and 47 still stand.

17. Finally, the applicants challenge the rejections of claims 3, 4, 17 and 18 because Kawagoe does not disclose the applicants' "spectator engine" and "distribution system" clauses, claims 5 and 19 because Moezzi does not disclose these clauses, claim 6 because Ham does not disclose these clauses, claims 7, 8, 20 and 38-41 because Matsuda does not disclose these clauses, claims 9-10 and 32 because Sparks II does not disclose these clauses, and claims 22-30, 45 and 46 because GibStats does not disclose these clauses. But since Kawagoe, Moezzi, Matsuda, Sparks II and GibStats all combine with Otten to reject claims, and Otten has already been shown to disclose the "spectator engine" and "distribution system" elements, the rejections still stand.

***Action is Final***

18. Therefore, **THIS ACTION IS MADE FINAL**. Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

19. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

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advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the Office should be directed to the examiner, Lance Sealey, whose telephone number is (703) 305-0026. He can be reached from 7:00 am-3:30 pm Monday-Friday EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798.

**Any response to this action should be mailed to:**

MS AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**or faxed to:**

**(703) 872-9306**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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MARK ZIMMERMAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600